

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1164 – SB 1269

March 25, 2013

SUMMARY OF ORIGINAL BILL: Broadens medical laboratory licensure exemptions to include a facility that meets the following criteria: the laboratory is currently licensed or seeking licensure; it is engaged in advanced esoteric applied toxicological, forensic, or biochemical laboratory analysis utilizing emerging technologies; or is licensed, certified, or accredited by the United States Department of Health and Human Resources and Mental Health Service Administrations (SAMHSA), the American Society of Crime Laboratory Directors Laboratory Accreditation Board, the American Board of Forensic Toxicology, the College of American Pathologists Laboratory Accreditation Program, or a state that has been determined to be exempt in accordance with the *Public Health Services Act*, § 42 USC 263a, and having enacted laboratory requirements that are equal to or greater than requirements of the Clinical Laboratory Improvement Amendments of 1988. Exempts any such laboratory from rules or statutes requiring persons who perform analytical testing or report the results of an examination to be under the supervision of a licensed professional, and persons who accept specimens to be licensed. Requires laboratory personnel who analyze or report laboratory results to possess a baccalaureate or advanced degree with at least 16 semester hours of chemistry and/or biological science courses.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (005555): Exempts medical laboratories from rules or statutes requiring any personnel, who accept specimens for laboratory examination and perform analytical testing or report results of a laboratory examination, to be licensed as a technologist, technician, laboratory trainee, or special analyst.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- According to the Department of Health, this will have no significant fiscal impact on the current operations of the Department or the Medical Laboratory Board.

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- Pursuant to Tenn. Code Ann. § 4-3-1011, all health related and regulatory boards are required to be self-supporting over a two-year period. The Board had balances of \$294,289 in FY10-11 and \$80,355 in FY11-12. The Board had a cumulative balance of \$1,115,828 as of June 30, 2012.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/jdb